



01-15-04

Image

1762

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	William P. Van Antwerp et al.	Examiner:	unassigned
Serial No.:	10/035,831	Group Art Unit:	1762
Filed:	December 28, 2001	Docket:	047711-0273
Title:	STABILIZING CATHETER FOR PROTEIN DRUG DELIVERY		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail (EL977160140US) with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 on January 14, 2004..

By: _____

Richard Ruggiero

Commissioner for Patents
Alexandria, VA 22313

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet with Certificate of Mailing thereon (in duplicate)
- ☒ Information Disclosure Statement Transmittal (in duplicate)
- ☒ Form PTO/SB/08
- ☒ Cited References (7)
- ☒ Copy of International Search Report
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No 50-0872. A duplicate of this sheet is enclosed.

Date: January 14, 2004

FOLEY & LARDNER
2029 Century Park East
35th Floor
Los Angeles, CA 90067-3021
1-310-277-2223 Office
1-310-557-8475 Fax

By: _____

Name: Ted Rittmaster
Reg. No.: 32,933
TRR/rsr



Atty. Dkt. No. 047711/0273

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Applicant: William P. Van Antwerp et al.

Title: STABILIZING CATHETER FOR
PROTEIN DRUG DELIVERY

Appl. No.: 10/035,831

Filing Date: 12/28/2001

Examiner: unassigned

Art Unit: 1762

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56 AND 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 CFR §1.97(b)(3), the items of information listed on the enclosed Form SB08 are brought to the attention of the Examiner. The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement. Accordingly, no fee is due for consideration of the items listed on the enclosed Form SB08.

In accordance with 37 CFR §1.98(a)(2), a copy of each document or other information listed on the enclosed Form SB08 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 USC §§102 and 103 and Applicant reserves the right, pursuant to 37 §1.131 or otherwise, to establish that the references are not "prior art." Moreover, Applicant does not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of MPEP 609, it is requested that the Examiner return a copy of the

attached Form SB08, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees, if any, to Deposit Account No. 50-0872.

Date January 14, 2004

FOLEY & LARDNER

Telephone: (310) 975-7895

Facsimile: (310) 557-8475

Respectfully submitted,

By

A large, stylized handwritten signature in black ink, appearing to read 'Ted Rittmaster', is written over a horizontal line. The signature is fluid and cursive, with a large loop at the beginning and end.

Ted Rittmaster
Attorney for Applicant
Registration No. 32,933



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Applicant: William P. Van Antwerp et al. Examiner: unassigned
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By: Ted Battmaster
Name: Ted Battmaster
Reg. No.: 32,933
TRR/rsr



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

Date Submitted January 14, 2004

(use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/035,831
Filing Date	12/28/2001
First Named Inventor	William P. Van Antwerp et al.
Group Art Unit	1762
Examiner Name	Unassigned
Attorney Docket Number	047711-0273

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,428,123		Ward et al.	06/27/1995	
	A2	5,529,914		Hubbell et al.	06/25/1996	
	A3	5,573,934		Hubbell et al.	11/12/1996	
	A4	5,723,588		Donofrio, et al.	03/03/1998	
	A5	5,733,524		Bucala et al.	03/31/1998	
	A6	5,874,277		Shintani et al.	02/23/1999	
	A7	5,922,161		Wu et al.	07/13/1999	

[illegible]

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A8	PCT International Search Report as issued in International Application Number PCT/US02/28172, Mailing date December 12, 2003	

Examiner
Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, D.C. 20231.